

Determination of NEPA Adequacy (DNA)

U.S. Department of the Interior

Bureau of Land Management

Royal Gorge Field Office

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Cañon City, CO 81212

OFFICE: Royal Gorge Field Office, LLCOFO2000

PROJECT NUMBER: DOI-BLM-CO-F02-2014-008 DN

CASEFILE: COC 073930

PROPOSED ACTION TITLE/TYPE: Minerals – Destiny Mine Boundary Modification

LOCATION/LEGAL DESCRIPTION: Park County, T.9S, R.77 W, Sec. 33 SE¼SW¼

APPLICANT (if any): BLM

A. Description of the Proposed Action and any applicable mitigation measures

The Destiny Mine Plan of Operations was previously assessed under DOI-BLM-CO-200-2009-099 EA in July 2012. BLM approved the Plan of Operations, based on the FONSI outcome of this process. Subsequently, the Destiny Mine proposal then went to the Colorado Division of Reclamation and Mining Safety for review. During the State's review process, they required that the permit boundary be no less than 200 feet from any structure, per their regulations. Therefore, the mine footprint was moved inward 200 feet from the BLM boundary line to the north and east. The footprint of the mine was also redirected from an east west direction to a north south direction, which falls partially outside the area analyzed in the EA. The area outside the original analysis is outlined in Figure 2. The operations and proposal remain the same as the original EA outlined, only the footprint has changed. However, the potential impacts must be assessed before final authorization of the mining plan can be given.

Proposed Action: The proposed action remains the same as the original proposal analyzed in DOI-BLM-CO-200-2009-099 EA with the exception of moving the project boundary 200 feet from the north and east sides of the BLM parcel boundary to accommodate the States requirement of a 200 foot setback from any "structure". The project area would shift from an east/west orientation to a north/south orientation. All resource analysis remains unchanged from the original EA.

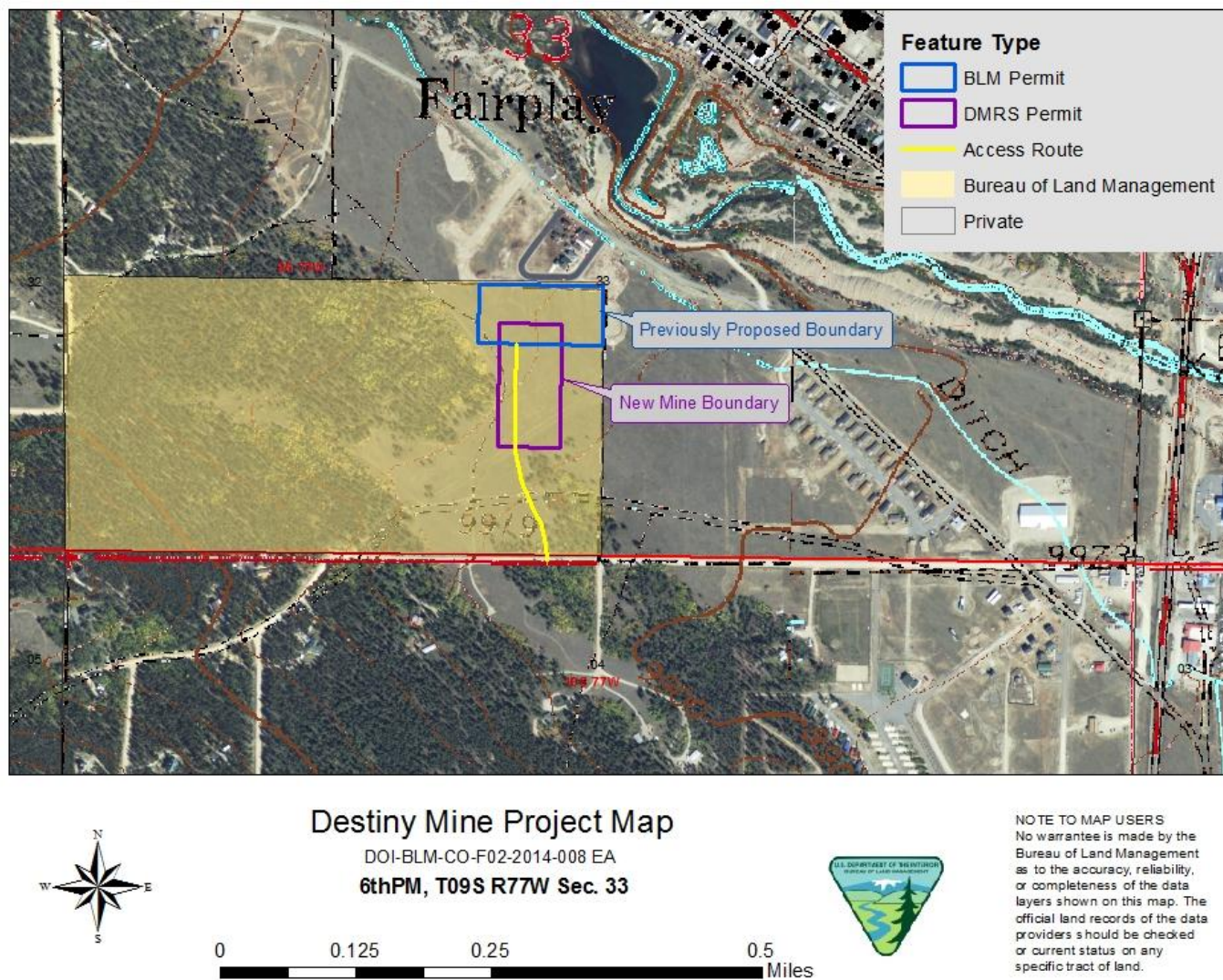


Figure 2.

B. Land Use Plan (LUP) Conformance

LUP Name: South Park Subregion #4	Date Approved: 05/13/1996
Other Document	Date Approved
Other Document	Date Approved

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

4-33 Areas will be open to mineral entry and available for mineral materials development: administered under existing regulations; limited by closure if necessary; special mitigation will be developed to protect values on a case-by-case basis.

4-34 Areas will be open to mineral entry and available for mineral materials development under standard mineral operating practices.

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions): N/A

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

DOI-BLM-CO-200-2009-099 EA Signed 07-11-12

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report). N/A

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes, the proposed action is the same as previously authorized in the EA. The only change is in the footprint of the mine site which adds an area of approximately 3 acres that was not

previously analyzed. The area is an open field so no differences are expected to occur in this new area that was not accounted for in the original footprint.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

The original Proposed Action was to analyze a combination placer gold and sand and gravel operation per the Mining Plan of Operations. The only change to this mining plan of operations is the footprint. The No Action Alternative did not change at all and still applies. Alternative 1 was to analyze a placer gold operation only. The proposal for this type of operation has not changed except for the variation in location. The proposal has not changed, just where the operation will occur within a large open field. Therefore, the range of alternatives analyzed is appropriate with respect to the new proposed action.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

The EA was finalized a little over a year ago. In that time rangeland health, endangered species listing, sensitive species and other information has not changed for this area. Furthermore, the only change from the original EA is where in a large field the operation will occur. The site should be extremely similar to the conditions originally analyzed. Therefore, the existing analysis is valid in light of any new information or circumstances, and any new information or circumstances would not substantially change the analysis of the new proposed action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes, the direct, indirect, and cumulative effects that would result from implementation of the new proposed action are similar (quantitatively and qualitatively) to those analyzed in the existing EA. The proposed operations or size of the footprint have not changed. The slight relocation within the large field setting should not significantly change the direct, indirect, and cumulative effects identified in the original EA.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes, the public involvement and interagency review associated with the existing EA is adequate for the current proposed action.

E. Persons/Agencies /BLM Staff Consulted

INTERDISCIPLINARY TEAM REVIEW			
NAME	TITLE	AREA OF RESPONSIBILITY	Initials/date
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 11/25/13
Jeff Williams	Range Management Spec.	Range, Vegetation, Farmland	-----
Chris Cloninger	Range Management Spec.	Range, Vegetation, Farmland	CC, 12/4/13
John Lamman	Range Management Spec.	Weeds	JL, 11/26/2013
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 11/27/13
Stephanie Carter	Geologist	Minerals, Paleontology, Waste Hazardous or Solid	SSC, 2-7-14
Melissa Smeins	Geologist	Minerals, Paleontology	MS, 2-7-14
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 11/25/13
Ty Webb	Prescribed Fire Specialist	Air Quality	TW, 12/11/13
Jeff Covington	Cadastral Surveyor	Cadastral Survey	12/6/13
Kalem Lenard	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	KL, 12/6/2013
John Nahomenuk	River Manager	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	-----
Ken Reed	Forester	Forestry	KR, 11/25/13
Martin Weimer	NEPA Coordinator	Environmental Justice, Noise, SocioEconomics	mw, 6/5/14
Monica Weimer	Archaeologist	Cultural, Native American	MMW, 6/3/14
Michael Troyer	Archaeologist	Cultural, Native American	
Debbie Bellew Greg Valladares	Realty Specialist	Realty	GDV, 02/12/2014
Ty Webb	Fire Management Officer	Fire Management	TW, 12/11/13
Steve Cunningham	Law Enforcement Ranger	Law Enforcement	SC 11/25/13

Other Agency Represented:

REMARKS:

Cadastral Survey: T. 9 S., R. 77 W., 6th P.M. was originally survey in 1868 with subsequent Remonumentation of Certain Corners throughout the township. GCDB reliability in the area is +/- 110 ft. For the permit boundary to be 200 feet from the north and east BLM boundary lines a Cadastral survey would be needed.

Cultural Resources: Although cultural resources were found in the area of potential effect [sites 5PA4410 and 5PA4759.1; see Report CR-RG-14-67 P], no sites determined to be eligible for the National Register of Historic Places (NRHP) were found. Therefore, the proposed project will have no impact on any historic properties (those eligible for the NRHP).

Native American Religious Concerns: No possible traditional cultural properties were located during the cultural resources inventory (see above). There is no other known evidence that suggests the project area holds special significance for Native Americans.

Threatened and Endangered Species: The analysis for threatened and endangered species remains unchanged from the analysis presented in the environmental assessment document labeled DOI-BLM-CO-200-2009-099 EA.

Migratory Birds: The analysis for migratory birds remains unchanged from the analysis presented in the environmental assessment document labeled DOI-BLM-CO-200-2009-099 EA.

MITIGATION:

CONCLUSION

DOI-BLM-CO-200-2014-0008 DN

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

SIGNATURE OF PROJECT LEAD: Stephanie Carter

SIGNATURE OF NEPA COORDINATOR: /s/ Martin Weimer

SIGNATURE OF NEPA SUPERVISOR: /s/ Jay M. Raiford

SIGNATURE OF THE RESPONSIBLE OFFICIAL:

/s/ Keith E. Berger
Keith E. Berger, Field Manager

DATE: 6/5/14

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.